

Attorney Docket No. 00021.06CON

*IFW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	ZAFFARONI, <i>et al.</i>	}	EXAMINER:	HAGHIGHATIAN, MINA
SERIAL NO.:	10/749,783		ART UNIT:	1616
FILED:	DECEMBER 30, 2003		CONFIRMATION NO.:	1083
TITLE:	DELIVERY OF DRUG ESTERS THROUGH AN INHALATION ROUTE			

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Applicant calls the Examiner's attention to the patents and publications listed on the attached Form PTO-1449, copies of required documents enclosed, which may be material to examination of the above identified application.

TIME OF TRANSMITTAL

This Information Disclosure Statement is being submitted under 37 CFR § 1.97(c). This Statement is filed after three months from the filing date of the national application, after three months from the date of entry into national stage under 37 CFR § 1.491, after the mailing of a first Office Action on the merits, or after the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR § 1.114, but before the mailing date of any of:

- (a) a final action under 37 CFR § 1.113;
- (b) a notice of allowance under 37 CFR § 1.311; or
- (c) an action that otherwise closes prosecution in the application.

This Statement is accompanied by a check for \$180 in accordance with 37 CFR §§1.97(c) and 1.17(p). The undersigned hereby authorizes the charging of any deficiency of fees submitted herewith to Deposit Account No. 19-5117.

10/11/2005 MBELETE1 00000019 10749783

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37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 10/15/05

Signature:

Name: Tasha L. Pierce

*Tasha L. Pierce*

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. This listed patents and publications are believed of interest herein and consideration and citation of as interest by Examiner is respectfully requested.

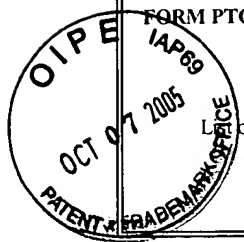
Respectfully submitted,

Date: October 5, 2004

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE Page 1 of 4 Information Cited by Applicant	ATTY. DOCKET NO. 00021.06CON	SERIAL NO. 10/749,783
	APPLICANT Rabinowitz, et al.	
	FILING DATE December 30, 2003	GROUP 1616

U.S. PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	NAME	CLS	SUB- CLS	FILE DATE
	DA	10/057,198	10/26/2001	Lloyd et al.			
	DL	10/146,088	05/13/2002	Hale et al.			
	DL	10/280,315	10/25/2002	Shen			
	DE	10/302,614	11/21/2002	Lu			
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	DL	10/851,018	05/20/2004	Hale et al.			
	DJ	10/851,429	05/20/2004	Hale et al.			
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	DM	10/861,554	06/03/2004	Cross et al.			
	DN	10/912,417	08/04/2004	Bennett et al.			
	DO	10/917,720	08/12/2004	Hale et al.			
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
DQ	Office Action mailed 12/04/03 for US App. No. 10/057,198 filed 10/26/01, "Method And Device For Delivering A Physiologically Active Compound"	
DR	Office Action mailed 01/12/05 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"	
DS	Office Action mailed 06/03/04 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"	
DT	Office Action mailed 12/15/03 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"	
DU	Office Action mailed 02/27/04 for US App. No. 10/146,080 filed 05/13/02, "Aerosol Forming Device For Use In Inhalation Therapy"	
DV	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.	
DW	Vapotronics, Inc. (1998) located at < <a href="http://www.vapotronics.com.au/banner.htm">http://www.vapotronics.com.au/banner.htm</a> >, 11 pages, (visited on June 5, 2000).	
EXAMINER		DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and <u>not</u> considered. Include copy of this form with next communication to applicant.		



<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>  List of Information Cited by Applicant  Page 3 of 4	<b>ATTY. DOCKET NO.</b> 00021.06CON	<b>SERIAL NO.</b> 10/749,783
	<b>APPLICANT</b> Rabinowitz, et al.	
	<b>FILING DATE</b> December 30, 2003	<b>GROUP</b> 1616

U.S. PATENT DOCUMENTS							
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	CA	5,240,922	08/31/1993	O'Neill			
	CB	5,345,951	09/13/1994	Serrano et al.			
	CC	5,366,770	11/22/1994	Wang			
	CQ	5,456,247	10/10/1995	Shilling et al.			
	CE	5,457,100	10/10/1995	Daniel			
	CF	5,511,726	04/30/1996	Greenspan et al.			
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	CI	5,592,934	01/14/1997	Thwaites			
	CJ	5,605,146	02/25/1997	Sarela			
	CK	5,649,554	07/22/1997	Sprinkel et al.			
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	CM	5,666,977	09/16/1997	Higgins et al.			
	CN	5,743,251	04/28/1998	Howell et al.			
	CE	5,758,637	06/02/1998	Ivri et al.			
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	CB	5,840,246	11/24/1998	Hammons et al.			
	CS	5,855,913	01/05/1999	Hanes et al.			
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	CU	5,894,841	04/20/1999	Voges			
	CV	5,918,595	07/06/1999	Olsson et al.			
	CW	6,048,857	04/11/2000	Ellinwood, Jr. et al.			
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	CZ	6,095,134	08/01/2000	Sievers et al.			
	CAA	6,131,570	10/17/2000	Schuster et al.			
	CDB	6,136,295	10/24/2000	Edwards et al.			
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	CFF	6,234,167	05/22/2001	Cox et al.			
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	CHH	6,632,047	10/14/2003	Vinegar et al.			
	CH	6,701,922	03/09/2004	Hindle et al.			
	CJJ	6,772,756	08/10/2004	Shayan			
	CKK	2002/0117175	08/29/2002	Kottayil et al.			
	CEE	2004/0016427	01/29/2004	Byron et al.			

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FOREIGN PATENT DOCUMENTS							
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	DA	GB 502 761	03/24/1939	Great Britain			
	DB	WO 90/02737	03/22/1990	WIPO			
	DL	WO 94/09842	05/11/1994	WIPO			
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	DE	WO 99/16419	04/08/1999	WIPO			
	DF	WO 00/66206	11/09/2000	WIPO			
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